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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,522	12/11/2003	Rebecca C. Weiss	MS1-1722US	3773
22801	7590	09/11/2008	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			ZHEN, LI B	
			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/735,522	<b>Applicant(s)</b> WEISS ET AL.	
	<b>Examiner</b> LI B. ZHEN	<b>Art Unit</b> 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/30/2008</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1 – 31 are pending in the application.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/19/2008 has been entered.

#### ***Response to Arguments***

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1 – 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,279,029 to Sampat et al. [hereinafter Sampat] in view of**

**U.S. Patent Application Publication No. 2004/0139157 to Neely et al. [hereinafter Neely].**

6. As to claim 1, Sampat teaches a system comprising:

a processor [col. 8, lines 18 – 33]; and

one or more computer-readable media , the one or more computer readable media including [col. 37, lines 47-59]:

a presentation that includes media content, the media content comprising at least one of audio and video content [received audio and video data from the camera, the antenna, and the VCR; col. 4, lines 7-23];

a media engine to obtain input information from the media content, the input information including a descriptor and media type information [media services manager; col. 8, lines 58-63];

an application to provide the presentation to an output target [server application allows the administrator to initialize and configure the server software architecture; col. 8, lines 46-58 and col. 11, lines 49-53],

wherein the media engine is further configured to setup at least one transform and obtain at least one media sink based on the one or more output presentation descriptors to process the presentation for output to the output target [The MSM combines the audio and video data as necessary to form channels. Further, the server application communicates with the MSM to setup MSP sinks; col. 7, line 62—col. 8, line 4 and col. 9, lines 40 – 58]. Sampat does not specifically disclose a destination object to receive the input information from the media engine, the destination object further

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selectively associates the input information with one or more output presentation descriptors, and to provide the one or more output descriptors to the media engine and an application to provide the presentation to an output target, the application further configured to dynamically create the media engine and the destination object

However, Neely teaches a destination object to receive the input information from the media engine [DescriptorManager implements the client-side part of the Descriptor Distribution and Invalidation Protocol 36; paragraphs 0067 and 0094], the destination object further selectively associates the input information with one or more output presentation descriptors, and to provide the one or more output descriptors to the media engine [Descriptor Distribution and Invalidation protocol 36 (described in detail in conjunction with FIGS. 6 and 7) assures that each user (e.g., the client, services and the protocol processes) of the descriptors 30, 32 accesses one and only one copy of each descriptor 30, 32; paragraphs 0048, 0049, 0070 and 0094], and an application to provide the presentation to an output target [paragraph 0125], the application further configured to dynamically create the media engine [each modality transformation service 64 is initialized; paragraph 0110] and the destination object [generates an instance of class DescriptorManager; paragraph 0065].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention Sampat to incorporate the features of Neely. One of ordinary skill in the art would have been motivated to make the combination because this provides a process to manage scene graph edit updates from

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several sources and allows the updates to be distributed to a collaboration of users [paragraph 0015 of Neely].

7. As to claim 15, Sampat as modified teaches a method for use by an application in presenting a presentation, the method comprising:

selectively providing input information describing media content to be presented in the presentation to a destination object in response to an operation by a media engine [The Media Service Manager can selectively enable and disable audio and video Media Service Providers that feed it the data that will be outputted to clients. When enabled, the MSPs feed the data streams into the MSM, which will then place the data in the necessary channels to be delivered to clients; col. 10, lines 54 – 67 of Sampat];

selectively associating the input information with output information using the destination object, the output information enabling the transformation of the presentation for output to an output target [each modality transformation service 64 determines, based on the values in the fields of the media descriptor object 32 and the computational and communication capabilities of each modality transformation service 64, whether the service 64 can perform the transformation, and if so, how well the service 64 can perform the transformation; paragraphs 0054 and 0109 of Neely]; and

providing output information from the destination object to the media engine [Descriptor Distribution and Invalidation protocol 36 (described in detail in conjunction with FIGS. 6 and 7) assures that each user (e.g., the client, services and the protocol processes) of the descriptors 30, 32 accesses one and only one copy of each descriptor 30, 32; paragraphs 0048, 0049, 0070 and 0094 of Neely],

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wherein the media engine provides the presentation to the output target without requiring further interaction with the application by selectively obtaining one or more transforms and setting up one or more media sinks based on the output information [The transformation of the data from the MSP sources into channels and transmitting those channels to the appropriate sinks by the MSM; col. 8, line 57- col. 9, line 40 of Sampat].

8. As to claim 2, Sampat further teaches wherein the destination object exposes an application program interface that is used by the application to interact directly with the destination object [The Real-Time Media Services Application Programming Interface (RMS API) exposed by the MSM; col. 8, lines 33-45].

9. As to claim 3, Sampat further teaches wherein the destination object defines where and how the presentation is to be presented [col. 8, lines 46-60].

10. As to claim 4, Sampat further teaches wherein the destination object provides output presentation descriptors in the form of an information object. [col. 9, lines 29-40 and col. 13, line 62 – col. 14, line 55].

11. As to claim 5, Sampat further teaches wherein the destination object is to receive information associating an input media stream with a presentation output media stream [col. 8, lines 46-60].

12. As to claim 6, Sampat further teaches wherein the destination object contains a plurality of sub-destination objects, each sub-destination objects being related to an

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output media stream to be presented in the presentation [The media service providers (MSPs); col. 9, lines 11-40].

13. As to claim 7, Sampat as modified the output presentation descriptors in the destination object can be changed while the presentation is being presented [paragraph 0108 of Neely].

14. As to claim 8, Sampat further teaches wherein the destination object is to signal the media engine that output presentation descriptors in the destination object is being changed [col. 8, lines 46-60].

15. As to claim 9, Sampat teaches wherein the destination object is to selectively signal the media engine in response to an operation by the application [col. 8, lines 46-60].

16. As to claim 10, Sampat further teaches wherein the destination object resides in a computing device and the media sink component resides in another computing device [col. 9, lines 1-67 and col. 13, line 62 – col. 14, line 55].

17. As to claim 11, Sampat further teaches wherein the destination object is to selectively provide information to the media engine related to a presentation clock that allows the application to control the presentation independently of other media content being presented in the presentation [col. 11, lines 1-36].



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18. As to claim 12, Sampat as modified teaches wherein the destination object exposes an application program interface (API) implementing a method that is defined to have:

an input argument that is a pointer to a descriptor of a stream of media content to be presented in the presentation [a tail entry 16 which reference Media Descriptors 32; paragraph 0068 of Neely];

another input argument that is a pointer to a media type to be used in presenting the stream of media content [paragraph 0084 of Neely]; and

an output argument that is a pointer to an object containing information regarding where and how media content is to be presented [col. 7, line 47 – col. 8, line 32; col. 8, lines 46-60; and col. 9, lines 41-60 of Sampat].

19. As to claim 13, Sampat further teaches wherein the destination object exposes an application program interface (API) that is selectively used by the application to change how many sub-components are contained in the component [col. 8, lines 46-60 and col. 9, lines 11-40].

20. As to claim 14, Sampat as modified teaches wherein the destination object is to selectively provide output presentation descriptors for subsequent presentations originating from the media source in a “timeline”-style presentation [index 132 corresponds to the sequence field 138 of one of the plurality of the media descriptors 32; paragraph 0069 of Neely].

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21. As to claim 28, Sampat further teaches wherein the destination object is to selectively provide a series of output presentation descriptors to the media engine for a series of presentations that occur during a session [col. 5, lines 35-50 and col. 7, lines 40-61].

22. As to claim 29, Sampat further teaches wherein the destination object selectively provides the output presentation descriptors multiple times as part of the series of output presentation descriptors [col. 5, lines 35-50 and col. 7, lines 40-61].

23. As per Claim 30, Sampat further teaches wherein the destination object is to signal the media engine that a connection or change therein has occurred between the computing devices [col. 20, lines 30-55].

24. As to claim 31, Sampat further teaches wherein the destination object is to receive information associating an input media stream with a presentation output media stream without involvement of the application [col. 7, line 47 – col. 8, line 32].

25. As to claim 16, Sampat further comprising exposing an application program interface that is used by the application to interact indirectly with the media sinks of the media engine [col. 8, lines 33-45; col. 9, lines 29-40 and col. 13, line 62 – col. 14, line 55].

26. As to claim 17, Sampat further teaches wherein the destination object contains output information used by the media engine to determine where the presentation is to be presented [col. 8, lines 46-60].

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27. As to claim 18, Sampat further teaches wherein the output information includes an output information object. [col. 9, lines 29-40 and col. 13, line 62 – col. 14, line 55].

28. As to claim 19, Sampat further teaches wherein selectively associating the input information with output information includes associating an input media stream with a presentation output media stream to be presented in the presentation [col. 8, lines 46-60].

29. As to claim 20, Sampat further teaches wherein the selectively associating the input information with output information includes obtaining output information related to a plurality of output media streams for which a given input media stream is intended in response to a request from the media engine and returning a collection of the obtained information to the media engine [col. 11, line 42 – col. 12, line 65].

30. As to claim 21, Sampat further teaches changing the number of output media streams are present in the plurality of output media streams in response to an operation by the application [The server application can communicate with the MSM to control what “channels” are sent out to the client applications; col. 8, lines 46-60].

31. As to claims 22-24, these claims are rejected for the same reasoning as applied to Claims 7-9 and 15, above.

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32. As to claim 25, Sampat further teaches wherein the presentation is presented in a client device and the application resides in a server device [server executes the control application and directs the presentation over the network; col. 8, lines 46-60].

33. As to claim 26, Sampat further teaches wherein selectively providing output information to the media engine includes providing a presentation clock that enables the application to control the presentation independently of other media content being presented in the presentation [col. 11, lines 1-36].

34. As to claim 27, this claim is rejected for the same reasoning as applied to Claims 12 and 15.

#### **CONTACT INFORMATION**

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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